

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *LC* D.C.

SEP 16 AM 11:28

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TN, MEMPHIS

UNITED STATES OF AMERICA  
upon the relation and  
for the use of the  
TENNESSEE VALLEY AUTHORITY  
Plaintiff

v.

No. 05-2200-B-P

EASEMENTS AND RIGHTS-OF-WAY  
OVER A TOTAL OF 11.36 ACRES OF  
LAND, MORE OR LESS, IN FAYETTE  
COUNTY, TENNESSEE

ERNEST B. WILLIAMS, III, ET AL.  
Defendants

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**ORDER ALLOWING WITHDRAWAL OF FUNDS**

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This action came on to be considered, and it appears to the Court that the parties have agreed that the \$100,000 deposited by Plaintiff in this action upon the filing of the Declaration of Taking herein be withdrawn as hereinafter provided pursuant to 40 U.S.C. § 258a (2000) and Federal Rule of Civil Procedure 71A(j).

Accordingly, it is Ordered that:

1. The Clerk of this Court is authorized and directed to draw a check on the funds on deposit in the registry of this Court in the amount of \$100,000 payable to "Ernest B. Williams, III, individually and as trustee of the David G.

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on 8-17-05

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Williams, Jr., trusts – on behalf of all Defendants” and to mail said check to George T. Lewis, III, Esq., Baker, Donelson, Bearman, Caldwell and Berkowitz, P.C., First Tennessee Building, 165 Madison Avenue, Suite 2000, Memphis, Tennessee 38103.

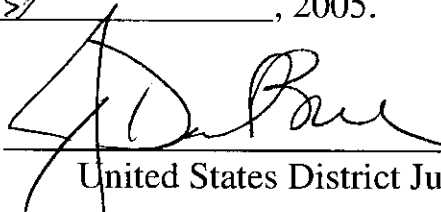
2. Said payment shall be credited against the final award in this action without prejudice to the right of any party herein to claim a greater or lesser amount as just compensation.

3. Defendants Ernest B. Williams, III, Billie Anne Williams, David G. Williams, Jr., and Anne Williams Dunn shall be jointly and severally liable for the reimbursement of any excess of said disbursement over the final award herein.

Said reimbursement, if applicable, shall be made by mailing to Plaintiff’s General

Counsel, within 10 days from the date judgment is entered in this action, a check payable to the Tennessee Valley Authority in the amount of said difference.

This 15<sup>th</sup> day of August, 2005.

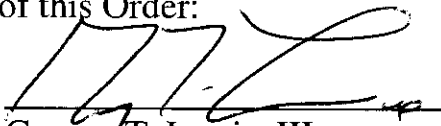
  
United States District Judge

We hereby approve and consent to the entry of this Order:

Edwin W. Small  
Edwin W. Small  
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Attorney for Plaintiff

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Attorney for Defendants



## Notice of Distribution

This notice confirms a copy of the document docketed as number 19 in case 2:05-CV-02200 was distributed by fax, mail, or direct printing on August 17, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT